

Licensing Information Overview- Licensed Child-Placing Agencies

■ Why Become Licensed?

The *Code of Virginia*, requires that private child welfare agencies, including licensed CPA's, be licensed by the Virginia Department of Social Services (VDSS). In support of statutory requirements, licensing regulations and oversight are designed to assist agencies in providing appropriate, high quality services while reducing risk to those placed by or employed by the agency. The *Code of Virginia* makes it a misdemeanor to operate a child welfare agency without first obtaining the required license. Each day of operating without the appropriate license constitutes a separate offense.

■ Is there a Need for Your Program?

It is commendable to want to serve children, but it is essential to know whether there is an unmet need for the program and services you want to offer. It is wise to conduct a needs assessment in the area where you want to locate. At a minimum, talk with potential referral agencies such as the [local department of social services](#). Also consider demographics and service trends. If there is no need for an additional licensed CPA, perhaps there is a need for other types of programs.

■ Location

Licensed CPA's should be located near the families it expects to serve and also near a variety of community-based services. Consider access to schools, transportation, churches, medical and psychiatric resources, recreational and cultural opportunities, and emergency response services. Is the population sufficient to recruit an adequate number of foster and adoptive homes?

■ Is Funding Available?

VDSS does not offer financial assistance to open new programs. Historically, new programs have relied upon a variety of funding sources such as religious and charitable organizations, corporations, local citizens, civic groups, donor bases, and anticipated fees for services. However, at the time you plan to open a new agency, you might locate funding from federal, state or local governments or through private foundations. Treatment foster care providers, certified for Medicaid reimbursable case management services, are reimbursed for care and services after children are placed.

■ Comprehensive Services Act

In Virginia, the [Comprehensive Services Act \(CSA\)](#) for at-risk youth and families governs the placement and funding for many of the children in need of placement. This law combined eight specific funding streams at the state level and put them under the control of local governments. A local Community Policy and Management Team (CPMT) approves funding for children referred by the local Family Assessment and

Planning Team (FAPT) for placement. If the funds are approved for a child's placement, the agency is reimbursed, usually on a monthly basis, after the child is in care. The arrangements must be made between the provider and the locality involved. Children may be placed by a [local department of social services](#) and have a social worker assigned. Other placements include court commitment and parental entrustment.

Virginia places great importance on children remaining with their families whenever possible. When this is not possible, children are to be placed in settings as close to home as possible. Foster care providers are expected to involve families in the services planning for each child, unless the local team/placing agency gives other direction or parental rights have been terminated by the court. The CSA pool is the funding stream of last resort and must be used on a child specific basis. This means that pool funds may be spent only when purchasing services for specific children and their families.

The [Service Fee Directory](#) lists service providers registered to CSA children and families. It gives the name, address, and the services offered for each facility. Facilities register the maximum fees they will charge for residential services in this directory and are responsible for keeping it updated. For more information about the CSA and the Service Fee Directory, please contact the Office of Comprehensive Services.

■ Role of the Licensing Specialist

The specialist's role is to help a licensed CPA become familiar with and comply with laws and regulations. They provide consultation to applicants through the initial licensure process, establish an ongoing professional relationship, and help keep them current with changing laws and regulations. The specialist conducts unannounced inspections both to ensure compliance with laws and regulations and to investigate reports of violations. They represent VDSS and are given authority by the *Code of Virginia* to inspect, including interviews with employees and children in care.

■ How Long Does the Process Take?

Once an application is complete, the licensing specialist will act as quickly as possible to complete the licensing process. The licensing specialist's work is reviewed by the licensing administrator who makes the issuance decision. The process can be completed more quickly if your planning and application are thorough.

■ Model Forms

An important part of complying with licensing regulations involves maintaining case records. Agencies have considerable freedom to develop their own forms and are encouraged to be creative and efficient in maintaining necessary written accountability.

In adopting forms for use in your program, please be mindful of several considerations. Begin with the basic items required by licensing standards and then add whatever optional information you believe would be useful. Ensure that all forms are clear,

specific, user-friendly and that they provide sufficient space for the desired information. Keep in mind the purpose of the form and be complete, but keep it simple. The licensing specialist can offer consultation in this area. The benefits of submitting your model forms early in the application process are similar to those for early submission of program materials. The licensing specialist may have model forms you may wish to adopt or modify for your program.

■ **Staffing Your Program**

How well you staff your program will, ultimately, be the single greatest factor in your success. As you complete the application process, you will likely be screening, hiring and training a variety of staff. Please pay close attention to both the education and experience requirements specified in the standards for licensed CPA's. In smaller facilities, it is common to select staff to fulfill the duties of several positions listed in the standards. If you plan to staff in this manner, please ensure that the individual meets the education and experience requirements specified for each position to be covered. Pay close attention to the requirements specified in the standards for all staff positions.

■ **Preparing for the Initial Site Inspection**

During the initial site inspection the licensing specialist visits your agency to review compliance with the standards for licensed CPA's. Model forms and written policies and procedures must be complete and available. Personnel records need to be current. Although the program will not be operational at the time of the study, you must have procedures in place if required by the regulation (i.e., admission, discharge, responding to emergencies both during and after agency hours).

The initial site inspection consists of an announced site inspection by the licensing specialist at a mutually convenient time. During the inspection, the inspector will review all licensing standards to determine whether your program is in compliance. At the initial inspection, an agency typically cannot fully demonstrate compliance with many standards simply because it is not yet in operation. The licensing inspector will determine compliance with certain standards and the adequacy of planning to assure future compliance with all standards. Then they will conduct an exit interview and review all findings with you. A written summary and compliance plan will probably be left at the facility at the conclusion of the inspection; if not, it will be sent promptly by mail.

■ **Issuance of Initial License**

The applicant must complete the compliance plan, if violations are cited; state the actions that will be taken to correct any deficiencies found and give time frames for correction. Once the corrective action plan is accepted by the licensing specialist, they will make a decision regarding issuance of a license. A conditional license will be issued to new agencies for a period of six months to allow time for the agency to demonstrate full compliance with all standards.

■ When Can I place Children?

You may not place children before receiving a license. While you will undoubtedly be eager to begin serving children, remember that it is a misdemeanor to do so without a license. It will be necessary to closely coordinate the admission of children when you first begin providing services, but be careful not to promise definite admission dates you may not be able to honor.

■ How Often Will My Agency Receive a Licensing Inspection?

The *Code of Virginia* mandates that each agency receive at least two inspections per calendar year.